

NEW YORK TORRENS
LAW A FAILUREProf. Johnson Says Pending
Amendments Would Make
It Perfect.

The Torrens law, now in force in New York State, is generally admitted to be a failure, according to Prof. Joseph Johnson. The law was passed originally in 1904. It was amended in 1910 and again in 1916. Although the system has been in operation nine years, there are now only six titles registered under it in New York county, where over \$5,000,000 in real estate is recorded each year.

The Torrens system has operated with great success in Australia, Canada, and many other countries, and in several of the States in this country. The plan has never failed in any country where it has been adopted and carried out in full. Its failure in this State is due, not to defects inherent in the system, but to our failure to adopt it completely.

Three important causes are primarily responsible for the failure of the New York law. 1. The process of having a title registered is needlessly expensive and slow. The cost of registering under the Torrens system is now about twice the cost of a full title company policy. 2. Official title examiners, who are not official at all, but are paid by individuals who apply for registration of titles. 3. Neither the State nor the county is back of the "assurance fund." If a mistake is made, and a title is registered, depriving the right owner of his property, he can be compensated only to the extent of the amount in the fund. This fund is now in New York county now amounts to \$12,500.

Certain amendments have been advanced for a long time by the Torrens Law Association. These are now before the Legislature at Albany. It is proposed to amend the act in several particulars, but we need consider only the three most important proposals. Simplifying the process of initial registration so as to shorten the time and lower the cost, making the examination of titles exclusively of the State and placing the county back of the assurance fund.

Objections are raised to certain of the amendments. It is stated that the law was amended only a year ago and that we should wait until the new act has had a fair trial. It should be borne in mind, however, that the amendment of 1916 was a compromise measure, and that the compromise was made only because of the fear that no improvement could be made if all changes were insisted upon. The amendments outlined above were proposed in the Simpson-Cottrell bill in 1916, but were rejected. The compromise bill which finally passed.

Some object to the proposed method of selecting examiners on the ground that appointments will be made not on the basis of merit but on the basis of political patronage of the Registrar's office. This objection can be made to any public undertaking. The new plan is certainly much better than the one now in use.

It is objected further that the county may suffer heavily if it undertakes to make any loans which cannot be met by the assurance fund. The experience of Illinois and Massachusetts and of all other countries which have adopted the Torrens system refutes this objection. In none of them has there been a loss to the county. A central statewide system should be established. To do this it will first be necessary to make structural changes in our courts through an amendment to the constitution.

QUEENS CHAMBER'S OFFICERS.

Nominations for Sixth Annual Election Announced.

The committee on nominations of the Chamber of Commerce of the Borough of Queens, ex-Judge John Anderson, chairman, will make the following report of nominations for officers and directors for the ensuing year, at the sixth annual meeting to be held on April 12, 1917. For president, George J. Ryan; for vice-presidents, H. F. Williams and John M. Demarest; for treasurer, William J. Hamilton; for members, Charles J. Ryan, George J. Ryan, John M. Demarest, and William J. Hamilton. The term of office of the officers and directors will expire in 1920. Charles G. M. Thomas, John Adkins, S. B. Severin, and Stuard Hirschman and William P. Myers.

George J. Ryan, nominee for president, is a native of Queens county. He has been active in the realty and insurance business of Queens for twenty-four years, and is on the advisory board of the Corn Exchange Bank. He was formerly president of the Long Island City Business Men's Association. H. F. Williams is president of the First Mortgage Guarantee Company. John M. Demarest is manager of the Queens Foundation Company, and William J. Hamilton is vice-president of the Bank of Long Island.

Charles G. M. Thomas, who has been president for the past more than a year, is a member of the board of directors. John Adkins of Jamaica is general manager of the Queens Foundation Corporation, and William P. Myers is vice-president of the Queens Foundation Corporation. Stuard Hirschman is a capitalist with large investments in Queens.

MORTIMER SCHIFF TO BUILD.

Plans Fine Dwelling for Fifth Avenue Site.

Mortimer L. Schiff, of Kuhn, Loeb & Co., plans to erect a new residence on the site of his present home and adjoining property on Fifth avenue. Just west of Seventy-fourth street. Mr. Schiff's house at 932 is four stories, and last year he now intends improving the combined area, measuring 50x150, with a six story residence from plans by C. P. H. Gilbert. It will be of brick and limestone and will be built by John Downey.

\$120,000 NEWARK FLAT SOLD.

J. L. Peltzman & Co. have sold for Gilbert P. Brown of Short Hills, N. J., the Lincoln Park section of Newark, N. J. It is a seven-story elevator apartment, 50 feet front and 120 feet deep.

Leah H. Heston has sold for Mrs. C. P. Heston of Akron, O., the family home residence at 43 Baldwin street, on a lot 27x111, to Daniel B. Heston, who will occupy it. Also sold for Mrs. Heston the two family stories residence at 592 South Fifteenth street, on a lot 30x100, to Charles Sommer, Jr., for a home.

WOMAN IN MANY DEALS.

Mrs. Sarah (Gammitt) has bought property in Montclair and vicinity valued at \$150,000 through the Simpson-Merritt Company of Montclair, N. J., and Carl Vernon, N. J. Her purchases comprise a semi-detached house in the Montclair Park section, a ten room and bath residence in the Park section, and a large building plot adjacent to the Montclair Park section. The properties were sold by Dr. John T. Kelly of Newark.

LARGER QUEENS FACTORIES.

Many Additions to Industrial Plants Put on Record.

Applications for sixty-four new buildings, whose cost has been placed at \$285,000. Among the new projects were several industrial structures, additions to existing plants. The Nichols Copper Company will erect a large addition, 105x114, to its plant at Hoboken avenue and Halle street, in the Laurel Hill section of Long Island City. It will cost \$32,000. The Loose-Wiles Bleucht Company will add to their plant at Meadow street and Queens place a \$5,000 concrete building two stories in height.

St. George's Church of East Eleventh street, Manhattan, will erect a summer sleeping bungalow and pavilion for the use of its workers and wards at 110th street and Ocean Boulevard, Rockaway Park, at a cost of \$20,000. It will be of frame construction, 200x300, and one story in height. The Congregation Derish B'nai Israel will erect a synagogue on the west side of Vernon avenue south of Ocean Boulevard, Arverne, at a cost of \$25,000.

The Augustinian Society, with headquarters at Villavieja, will erect a church at the southwest corner of Flushing avenue and Union turnpike, Flushing, at a cost of \$7,000, and a rectory adjoining at a cost of \$5,500. St. Joseph's Roman Catholic parish of Long Island City will erect a parochial school on Fourteenth avenue, north of Grand avenue, Long Island City, at a cost of \$20,000. It will be four stories and of brick. Construction is to be started immediately.

COST RESTRICTS BUILDING.

Cheaper Class of Dwellings Planned in Brooklyn.

Brooklyn builders have turned to small dwellings. Main and West 150. Only three apartment projects were put on record and these will cost \$162,000. Among the miscellaneous structures \$231,450, is a \$100,000 factory to be erected by the Richard Faber Penell Company on the south side of Java street, west of Court street. The cost of the fifty-seven buildings for which plans were filed aggregates \$533,500.

The L. R. Realty Company will build two four story brick tenements on the west side of Ocean avenue, south of Foster avenue, with accommodations for twenty-one families in each, at a cost of \$10,000. On the west side of Columbus street, north of Pierpoint street, the Heights Operating Company will erect a six story apartment to cost \$75,000.

The Binness Property Company, which recently took over the block front of old buildings on Smith street, will begin improvements by erecting five three story brick dwellings, with stores, on the west side at the south corner of Baltic street, which will cost \$27,500. The small dwelling operations consist of one and two buildings each. In various sections of the borough, chiefly in the outlying districts. The cost of material is restricting operations to the cheaper class of structures.

WOULD CUT RED TAPE.

Aim of Inspection Law Defeated by Method of Application.

The Advisory Council of Real Estate Inspectors is endeavoring to work out with the Fire Commissioner a new plan whereby the certificate of occupancy issued by the Building Department shall constitute a clean bill of health with regard to all orders that may be issued by other departments having to do with the construction or alteration of buildings. The Lockwood-Brown law, which provides for the inspection of buildings, was essentially a compromise measure. It did not accomplish the desired end of functions which was desired.

The present course of the Inspection Department, whenever violations of the law have been removed, is to issue a certificate of occupancy to indicate that such is the case. Then, after examining a building to see whether it complies with the orders of the Labor Department, it notifies the Fire Department, which issues a license. This seems to be a reasonable method, although the law specifically states that the Fire Commissioner is authorized to send a copy of his order of the violation to the Superintendent of Buildings, and that the Superintendent of Buildings shall then notify the Commissioner "when plans are filed to comply with any order of the Fire Commissioner, and when the work to be done pursuant to any such order is completed." It does not state, however, that it is necessary for the Fire Commissioner himself to issue a license, but it intended that the action by the Superintendent of Buildings should be regarded as final.

NO ACRES STATEN ISLAND SALE.

Interests Identified with the aviation school on Staten Island and the dancing pavilion at the Grand Central.

Interests identified with the aviation school on Staten Island and the dancing pavilion at the Grand Central. The Graham Beach Estates and purchased from James S. Graham of Flatbush, president of the Graham Beach Realty Company, a tract of about eighty acres, which is a half a mile of beach front on Staten Island. The property lies between Midland and South beaches. The new owners propose to develop the beach front with a high class bungalow colony and will begin the erection of fifty bungalows soon. The new owners have been using part of the tract, under lease to a private school, and will reserve that portion for the continuation of their school.

OPPOSED TO MORE POWER.

The Real Estate Board's committee on legislation, in opposing a number of bills affecting real estate, lays special emphasis on Assemblyman March's bill providing for the vacating of tenement houses on the certificate of an inspector that the means of escape in case of fire are inadequate.

The committee on legislation, in opposing a number of bills affecting real estate, lays special emphasis on Assemblyman March's bill providing for the vacating of tenement houses on the certificate of an inspector that the means of escape in case of fire are inadequate. The committee considers it contrary to all ideas of liberty that the rights of tenement property owners should be jeopardized by putting such tyrannical power in the hands of an inspector.

BUYS SHORT HILLS HOMESITE.

J. Sterling Drake has sold for Arthur Selts of South Orange, N. J., the corner of Hobart avenue and Coniston road, Short Hills, N. J., a plot 175x200, on which Mr. Selts will erect a dwelling for his own use.

GOLETS TO BUILD FLAT.

Charles B. Meyers, architect, is preparing plans for a six story apartment house with stores, on plot 53x95, to be erected on the north corner of 34th street and Washington street for the estate of Ogden Goleet. It will cost \$40,000.

WAREHOUSE ON DYCKMAN LOT.

Frank Volz has sold a lot, 25x100 feet, on the north side of Dyckman street, 200 feet to the Dyckman street, to the Dyckman Van Company, who will improve it with a five story warehouse.

WESTCHESTER REAL ESTATE FOR SALE.

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